

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

JERRY SY DORSEY, #59398-019

PLAINTIFF

VS.

CIVIL ACTION NO. 5:09-CV-12-DCB-MTP

TRACEY RUBIOLA, et al.

DEFENDANTS

ORDER

THIS MATTER is before the court upon Plaintiff's Motion [34] to Strike Defendants' Reply [29] to his Response [26] to Defendants' Motion to Dismiss [22]. In his motion, Plaintiff claims that he never received a copy of Defendants' Reply [29] and, therefore, it should be stricken and the Motion to Dismiss [22] should be denied. Although Plaintiff claims that he has been prejudiced by not receiving Defendants' Reply sooner, Plaintiff's Response [26] to the Motion to Dismiss was considered by the court in issuing its Report and Recommendations [31], and no further responses or replies are authorized by the rules.¹ *See* Local Rule 7.2(D).

IT IS, THEREFORE, ORDERED that Plaintiff's Motion [34] to Strike Defendants' Reply [29] is denied.

SO ORDERED on this 16th day of November, 2009.

s/ Michael T. Parker

United States Magistrate Judge

¹ It is unclear why Plaintiff would not have received the Reply, as the Certificate of Service indicates that Defendants mailed it to Plaintiff at his current address. *See* [29]. Nevertheless, at Plaintiff's request, on November 4, 2009 the court mailed a copy of the Reply to Plaintiff. *See* [33].